

TEMPORARY

No. 71636-T

TEMPORARY

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 02 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 01 2004 under 71635

The applicant **Division of State Lands** for and on behalf of the **Division of Wildlife**, hereby makes application for permission to change the **place of use** of water heretofore appropriated under **United States of America v. Orr Ditch Co. in Equity No. A-3, Claim 3; United States of America v. Alpine Land and Reservoir Co., No. D-183; both in the Federal District Court of Nevada and Permits 48459 and 60759**

1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **984.07 AF (329.12 acres x 2.99 acre-feet per acre)**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within the SW¹/₄SE¹/₄, Section 33 T19N R26E M.D.B.&M.**
6. The existing permitted point of diversion is located within **No change**
7. Proposed place of use **See attachment "A" See Sheet 4 of Permit map #66229, which map is incorporated by reference**
8. Existing place of use **see attachment "B"**
9. Use will be from **as decreed.**
10. Use was permitted from **as decreed.**
11. Description of proposed works **No new diversion or storage works on the Truckee River and Carson River will be constructed.**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **10 years**
15. Remarks: **Applicant expressly reserves the right to transfer in a later proceeding: 1) 0.51 acre-feet per each of the 322.65 acres from which 2.99 acre-feet per acre to be transferred by this application and 2) 3.5 acre-feet for each of the 14.3 water-righted acres remaining at the existing place of use**

By Pamela B. Wilcox, Nevada Division of State Lands
s/ Pamela B. Wilcox
333 W. Nye Lane
Carson City, NV 89710

Compared ag/dl ag/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth in the Truckee and Carson River final decrees and as set forth under a portion of Permits 48459 & 60759, which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 984.07 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 14th day of October, A.D. 2004


State Engineer

EXPIRED

DATE NOV 15 2004 *Dr*

TEMPORARY

PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is Carson Lake, consisting of lands within:

Township 16 North, Range 29 East,

tract 37;
sec. 1, lots 3 to 6 inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 2, lots 1, 2, and 5 to 10, inclusive, S $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 3, lots 3, 4 and 6 to 9, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 4, lots 1, 2, and 5 to 7, inclusive, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 5, lots 1 to 4, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 6, lots 1 to 3, inclusive, and lots 8, 11, 12, 14, and 17, S $\frac{1}{2}$ SE $\frac{1}{4}$;

Township 17 North, Range 29 East,

tract 37;
tract 38;
tract 40;
sec. 9, lots 4, 6, 8, and 10;
sec. 19, lots 1 to 4, inclusive;

Township 18 North, Range 29 East,

sec. 35, S $\frac{1}{2}$ SE $\frac{1}{4}$

Township 16 North, Range 30 East,

sec. 5, lots 3 to 6, inclusive, and lots 11 and 12, SW $\frac{1}{4}$;
sec. 6, lots 1 to 21, inclusive, and SE $\frac{1}{4}$;

Township 17 North, Range 30 East,

tract 37;
sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
sec. 6, lots 1 to 5, inclusive, and lots 9 to 12, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;
sec. 7, lot 4, and lots 7 to 12, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 8, W $\frac{1}{2}$;
sec. 17, W $\frac{1}{2}$;
sec. 18, lots 1 to 4, inclusive;
sec. 19, lot 1;
sec. 20, lots 1 to 4, inclusive, E $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 29, lots 1 to 4, inclusive, E $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 30, lot 1;
sec. 31, lots 1, 2, and 6 to 9, inclusive;
sec. 32, W $\frac{1}{2}$.

STATE ENGINEERS OFFICE

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Amended

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"Attachment B"

Section	Township	Range	Sect. Subd.	acreage	Prev. owner
1	17N	28E	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.90	Achurra
1	17N	28E	NW $\frac{1}{4}$ SE $\frac{1}{4}$	7.10	Achurra
26	18N	29E	SW $\frac{1}{4}$ NW $\frac{1}{4}$	38.2	Kottinger
27	19N	28E	SW $\frac{1}{4}$ SW $\frac{1}{4}$	4.28	Ghiglia
28	19N	28E	SE $\frac{1}{4}$ SE $\frac{1}{4}$	29.80	Ghiglia
28	19N	28E	SW $\frac{1}{4}$ SE $\frac{1}{4}$	8.22	Ghiglia
28	19N	28E	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18.52	Lewis
28	19N	28E	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.30	Lewis
28	19N	28E	NW $\frac{1}{4}$ SE $\frac{1}{4}$	9.96	Lewis
28	19N	28E	SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.185	Lewis
29	19N	28E	SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.55	West
29	18N	29E	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.07	Sicking, Joe (1)
29	18N	29E	SE $\frac{1}{4}$ NW $\frac{1}{4}$	24.58	Sicking, Joe (3)
29	18N	29E	NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.37	Sicking, Joe (2)
29	18N	29E	NE $\frac{1}{4}$ SW $\frac{1}{4}$	17.47	Sicking, Joe (4)
30	18N	29E	SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.68	Sicking, Joe
30	18N	29E	NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.93	Sicking, Joe
30	18N	29E	SW $\frac{1}{4}$ NE $\frac{1}{4}$	31.73	Payne
30	18N	29E	SE $\frac{1}{4}$ NE $\frac{1}{4}$	13.27	Payne
Acreage Total				329.12	

See accompanying maps on mylar sheets 1 through 6

- (1) 3.57 acres from permit 60759, 6.00 acres from permit 48459
- (2) 2.00 acres from permit 60759
- (3) 5.11 acres from permit 60759, 0.90 acres from permit 48459
- (4) 3.05 acres from permit 60759

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